

111TH CONGRESS
1ST SESSION

S. 208

To provide Federal coordination and assistance in preventing gang violence.

IN THE SENATE OF THE UNITED STATES

JANUARY 12, 2009

Mrs. BOXER introduced the following bill; which was read twice and referred
to the Committee on the Judiciary

A BILL

To provide Federal coordination and assistance in preventing
gang violence.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as “Mynisha’s Law”.

5 **SEC. 2. FINDINGS.**

6 Congress finds—

7 (1) with an estimated 26,500 gangs operating
8 within the United States, gang violence and drug
9 trafficking remain serious problems throughout the
10 country, causing injury and death to innocent vic-
11 tims, often children;

1 (2) on November 13, 2005, a gang-related dis-
2 pute broke out in San Bernardino, California, and
3 gunfire sprayed an apartment building, killing 11-
4 year-old Mynisha Crenshaw and seriously wounding
5 her 14-year-old sister as they ate Sunday dinner
6 with their family;

7 (3) this tragic shooting symbolizes the struggle
8 that so many communities across the United States,
9 like San Bernardino, face in combating gang vio-
10 lence, and serves as a reminder of the nationwide
11 problem of protecting children from senseless vio-
12 lence;

13 (4) according to the National Drug Threat As-
14 sessment, criminal street gangs are responsible for
15 the distribution of much of the cocaine, meth-
16 amphetamine, heroin, and other illegal drugs
17 throughout the United States;

18 (5) the Federal Government has made an in-
19 creased commitment to the suppression of gang vio-
20 lence through enhanced law enforcement and crimi-
21 nal penalties; and

22 (6) more Federal resources and coordination
23 are needed to reduce gang violence through proven
24 and proactive prevention and intervention programs

1 that focus on keeping at-risk youth in school and out
2 of the criminal justice system.

3 **SEC. 3. DESIGNATION AS A HIGH INTENSITY GANG ACTIV-**
4 **ITY AREA.**

5 (a) IN GENERAL.—A unit of local government, city,
6 county, tribal government, or a group of counties (whether
7 located in 1 or more States) may submit an application
8 to the Attorney General for designation as a High Inten-
9 sity Gang Activity Area.

10 (b) CRITERIA.—

11 (1) IN GENERAL.—The Attorney General shall
12 establish criteria for reviewing applications sub-
13 mitted under subsection (a).

14 (2) CONSIDERATIONS.—In establishing criteria
15 under subsection (a) and evaluating an application
16 for designation as a High Intensity Gang Activity
17 Area, the Attorney General shall consider—

18 (A) the current and predicted levels of
19 gang crime activity in the area;

20 (B) the extent to which violent crime in
21 the area appears to be related to criminal gang
22 activity;

23 (C) the extent to which the area is already
24 engaged in local or regional collaboration re-

1 garding, and coordination of, gang prevention
2 activities; and

3 (D) such other criteria as the Attorney
4 General determines to be appropriate.

5 **SEC. 4. PURPOSE OF THE TASK FORCE.**

6 (a) IN GENERAL.—In order to coordinate Federal as-
7 sistance to High Intensity Gang Activity Areas, the Attor-
8 ney General shall establish an Interagency Gang Preven-
9 tion Task Force (in this Act referred to as the “Task
10 Force”) in each such area, consisting of a representative
11 from—

12 (1) the Department of Justice;

13 (2) the Department of Education;

14 (3) the Department of Labor;

15 (4) the Department of Health and Human
16 Services; and

17 (5) the Department of Housing and Urban De-
18 velopment.

19 (b) COORDINATION.—For each High Intensity Gang
20 Activity Area designated by the Attorney General under
21 section 3, the Task Force shall—

22 (1) coordinate the activities of the Federal Gov-
23 ernment to create a comprehensive gang prevention
24 response, focusing on early childhood intervention,
25 at-risk youth intervention, literacy, employment,

1 community policing, and comprehensive community-
2 based programs such as Operation Cease Fire; and
3 (2) coordinate its efforts with local and regional
4 gang prevention efforts.

5 (c) PROGRAMS.—Each Task Force shall prioritize the
6 needs of a High Intensity Gang Activity Area for funding
7 under—

8 (1) the Child Care and Development Block
9 Grant Act of 1990 (42 U.S.C. 9858 et seq.);

10 (2) the Even Start programs under subpart 3
11 of part B of title I of the Elementary and Secondary
12 Education Act of 1965 (20 U.S.C. 6381 et seq.);

13 (3) the Healthy Start Initiative under section
14 330H of the Public Health Services Act (42 U.S.C.
15 254c–8);

16 (4) the Head Start Act (42 U.S.C. 9831 et
17 seq.);

18 (5) the 21st Century Community Learning Cen-
19 ters program under part B of title IV of the Ele-
20 mentary and Secondary Education Act of 1965 (20
21 U.S.C. 7171 et seq.);

22 (6) the Job Corps program under subtitle C of
23 title I of the Workforce Investment Act of 1998 (29
24 U.S.C. 2881 et seq.);

1 (7) the community development block grant
 2 program under title I of the Housing and Commu-
 3 nity Development Act of 1974 (42 U.S.C. 5301 et
 4 seq.);

5 (8) the Gang Resistance Education and Train-
 6 ing projects under subtitle X of title III of the Vio-
 7 lent Crime Control and Law Enforcement Act of
 8 1994 (42 U.S.C. 13921);

9 (9) any program administered by the Office of
 10 Community Oriented Policing Services;

11 (10) the Juvenile Accountability Block Grant
 12 program under part R of title I of the Omnibus
 13 Crime Control and Safe Streets Act of 1968 (42
 14 U.S.C. 3796ee et seq.);

15 (11) the Edward Byrne Memorial Justice As-
 16 sistance Grant Program under subpart 1 of part E
 17 of title I of the Omnibus Crime Control and Safe
 18 Streets Act of 1968 (42 U.S.C. 3750 et seq.); and

19 (12) any other program that the Task Force
 20 determines to be appropriate.

21 (d) REPORTING REQUIREMENTS.—

22 (1) ANNUAL TASK FORCE REPORTS TO AG.—
 23 Not later than September 1 of each year, each Task
 24 Force shall submit to the Attorney General a report
 25 on the funding needs and programmatic outcomes

1 for each area designated as a High Intensity Gang
2 Activity Area.

3 (2) ANNUAL AG REPORT TO CONGRESS.—Not
4 later than December 1 of each year, the Attorney
5 General shall submit a report to the appropriate
6 committees of Congress and the Director of the Of-
7 fice of Management and Budget and the Domestic
8 Policy Council that describes, for each designated
9 High Intensity Gang Activity Area—

10 (A) the specific long-term and short-term
11 goals and objectives of each such area;

12 (B) the measurements used to evaluate the
13 performance of the High Intensity Gang Activ-
14 ity Area in achieving the long-term and short-
15 term goals described under subparagraph (A);

16 (C) the age, composition, and membership
17 of gangs in each such area;

18 (D) the number and nature of crimes com-
19 mitted by gangs and gang members in each
20 such area;

21 (E) the definition of the term “gang” used
22 to compile the information required under this
23 subsection for each such area; and

1 (F) the programmatic outcomes and fund-
2 ing need of each High Intensity Gang Activity
3 Area, including—

4 (i) an evidence-based analysis of the
5 best practices and outcomes from the work
6 of the relevant local collaborative working
7 group; and

8 (ii) an analysis of whether Federal re-
9 sources distributed meet the needs of the
10 High Intensity Gang Activity Area and, if
11 any programmatic funding shortfalls exist,
12 recommendations for programs or funding
13 to meet such shortfalls.

14 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated such sums
16 as are necessary to meet any needs identified by the Attor-
17 ney General or in any report submitted under section
18 4(d)(2).

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